

SENATE JOURNAL

Forty-Second Legislature—Regular Session.

AUSTIN, TEXAS, TUESDAY, JANUARY 13, 1931.

PROCEEDINGS

FIRST DAY

Senate Chamber,
Austin, Texas,
January 13, 1931.

The Senate met at 12 o'clock noon and was called to order by Lieutenant Governor Barry Miller.

Prayer by the Chaplain, Rev. W. H. Doss.

Temporary Officers.

The Chair announced the appointment of the following temporary officers:

Secretary—Bob Barker, Sergeant-at-arms—A. W. Holt, Doorkeeper—W. D. Collins, Chaplain—Rev. W. H. Doss, Journal Clerk—Wendell O'Neal.

Roll Call of Holdover Senators.

The Secretary called the roll of holdover Senators the following Senators answering to their names:

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Pollard.
DeBerry.	Small.
Gainer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Williamson.
Martin.	

Roll Call of Newly-Elected Senators.

The Secretary called the roll of newly elected Senators, the following Senators answering to their names:

Cousins.	Parr.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Loy.	Russek.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Oath of Office.

The Chair instructed the Sergeant-at-Arms to escort the newly elected members to the bar of the Senate where the Chair administered the oath of office.

At Ease.

On motion of Senator Pollard the Senate stood at ease subject to the call of the Chair.

Lieutenant-Governor-Elect Witt Receives Gift.

The Chair appointed Senator Woodward to escort Lieutenant-Governor-Elect Witt to the platform. Senator Williamson presented to Senator Witt a gavel and block prepared by Mr. J. C. Adrian.

Senator Witt responded with an expression of his appreciation.

Caucus Report.

Senator Pollard sent up the following caucus report:

Caucus Report.

Austin, Texas,
January 13, 1931.

A caucus was held in the office of the Senate, attended by 30 Senators-elect, and by unanimous vote of those present it was agreed that those Senators present holding proxies for those Senators absent could cast said proxies.

The purpose of the caucus was to determine the number and personnel of the Senate officers and employees for the ensuing Regular Session of the Forty-second Legislature:

Secretary: Bob Barker.

Assistant Secretary: Johnnie Dupriest.

Journal Clerk: Wendell O'Neal.

Assistant Journal Clerks:

Sergeant-at-Arms: Capt. A. W. Holt.

Assistant to Sergeant-at-Arms: Joel Gunn.

Night Sergeant-at-Arms:

Calendar Clerk: M. H. Dryer.

Assistant Calendar Clerks:

Mailing Clerk:

Assistant Mailing Clerks:

Librarian:

Postmistress: Mrs. Lola P. Lawrence.

Chaplain: Rev. W. H. Doss.

Notary Clerk:

Assistant Notary Clerks:

Messengers, two: (Each to receive \$2.50 per day.)

Telephone Operator:

Assistant Telephone Operator:

Doorkeeper: W. A. Collins.

Assistant Doorkeepers: Grover Sellars.

General Custodian of Records of the Senate: Lee McDougal.

The Lieutenant Governor and Senators are hereby fully authorized and empowered to use all Assistant Sergeant-at-Arms, Assistant Mailing Clerks, and Assistant Doorkeepers for any and all purposes they desire.

The Lieutenant Governor is authorized to appoint an elevator boy to serve at night and on Sunday, said elevator boy to receive \$4.00 per day.

It is further recommended that each Senator be permitted to name two additional employees other than their private secretaries, and that their names be referred to a committee of five Senators appointed by the Chairman of the Caucus, and that said committee be authorized to appoint the Enrolling and Engrossing Clerks and such assistants as are necessary from said list. The Chairman of the Caucus appointed Senators Woodward, Holbrook, Polard, Rawlings, and Russek on the committee, and that the Enrolling and Engrossing Clerk shall each receive \$10.00 per day for their services, and the first assistant shall receive \$7.50 per day, and other assistants shall receive \$5.00 per day; and all employees, except those responsible directly to some Senator or committee, shall report at eight o'clock in the morning and at one o'clock in the afternoon to the Sergeant-at-Arms of the Senate, and

no employee shall be paid for days he does not work.

It is further recommended that each Senator be permitted to name one stenographer, and that such employee act as clerk of each committee of which said Senator shall be Chairman, save and except that this does not apply to the Chairman of the Finance Committee.

It is further recommended that the President of the Senate have exclusive appointment of such number of pages and porters as in his judgment may be necessary.

It is further recommended that the compensation of officers and employees named, except as otherwise expressly provided, shall receive \$5.00 per day, except that the Secretary of the Senate, the Journal Clerk, the Calendar Clerk, and the Sergeant-at-Arms shall receive \$10.00 per day, and except further that the pages shall receive \$3.00 per day, and porters shall receive \$3.00 per day each, the head porter and the porter carrying mail \$4.00 per day each.

It is further recommended that the Lieutenant Governor be authorized to use any of the employees needed for any other work in the Senate where their services may be required, in the judgment of the Lieutenant Governor.

It is further recommended that the Lieutenant Governor and the incoming Lieutenant Governor be permitted to select a Secretary and an Assistant Secretary and personal messenger, and that their salaries be the same as during the Fifth Called Session of the Forty-first Legislature.

It is further recommended that the Senators be given such time as they desire to name their personal appointments and that such appointments be made by handing the names of such appointees to the Secretary of the Senate.

It is further recommended that two thousand (2,000) daily Journals be printed and that the same be prorated among the Senators and the Lieutenant Governor, except that 300 shall be furnished the members of the House.

It is further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employees of the

Senate, such rental not to exceed \$4.00 per month per machine.

It is further recommended that the Chairman of the Finance Committee be authorized to appoint a Secretary to the Finance Committee and a statistician, each at a salary of \$10.00 per day, and an assistant Secretary at a salary of \$7.50 per day.

It is further recommended that each Senator, the Lieutenant Governor, Secretary of Senate be permitted to subscribe to five daily papers, to be paid for out of the contingent funds.

It is further recommended that the Lieutenant Governor, each Senator, and the Secretary of the Senate be allowed the stationery and postage needed by them respectively, and be allowed expenses incurred in the transmitting and receiving of telephone messages and telegraph messages, and for express charges and freight charges, and expenses that may be actually necessary in the discharge of their official duty, and that the Chairman of the Finance Committee be paid for the actual expense he incurred in inspecting various State Institutions prior to this date, said expenses to be paid out of the contingent fund.

It is further recommended that the Secretary of Senate, Sergeant-at-Arms and the porters who have been appointed to prepare the Senate Chamber in advance for the meeting of this session of the Legislature and the various employees of the Finance Committee who have been employed to prepare finance bills be paid for such days as are approved by the Contingent Expense Fund Committee at the salary now being paid said officers and employees.

PARR, Chairman.

POLLARD, Secretary.

The report was read and adopted.

Oath of Office.

The Sergeant-at-Arms conducted the newly-elected officers to the bar of the Senate where the Chair administered the oath of office.

President Pro Tem.

The Chair announced that nominations for President Pro Tem of the Senate were in order.

Senator Moore nominated Senator Carl C. Hardin.

The nomination was seconded by Senators Greer, Small, Pollard, Woodward, Cousins, Berkley, Beck, Woodul, Holbrook, Neal, Williamson, DeBerry, Martin, Parrish and Hornsby.

The Chair appointed Senators Moore, Gainer, and Beck to serve as tellers. The tellers collected and counted the votes and announced the following results:

Senator Hardin, 30 votes.

The Chair declared Senator Hardin duly elected President Pro Tem, and appointed Senators Small, Holbrook, and Martin to escort Senator Hardin to the platform where the Chair administered the oath of office.

The Chair introduced President Pro Tem Hardin who briefly addressed the Senate.

Simple Resolution No. 1.

Senator Woodward sent up the following resolution:

BE IT RESOLVED, That the members of the Senate of the Forty-Second Legislature be and they are permitted to retain the seats and desks which they formerly occupied during previous sessions of the Senate, the newly elected members to occupy the seats and desks occupied by their predecessors; provided, however, that any Senators may agree among themselves for exchange of seats and desks when they so desire.

Read and adopted.

WOODWARD.

Simple Resolution No. 2.

Senator Woodward sent up the following resolution:

Be It Resolved, That the Senate rules adopted by the Forty-First Legislature be and they are hereby adopted as the temporary rules for the Senate of the Forty-Second Legislature now assembled, and that the rules thus temporarily adopted shall prevail until otherwise ordered by the Senate.

WOODWARD.

Read and adopted.

S. C. R. No. 1.

Senator Woodward sent up the following resolution:

Be It Resolved, By the Senate of

Texas, the House of Representatives concurring, that the joint rules of the Senate and House adopted by the Forty-First Legislature be adopted as the joint rules of the Senate and House of the Forty-second Legislature until amended or changed by action of both the Senate and the House.

WOODWARD.

Read and adopted.

Simple Resolution No. 3.

Senator Woodward sent up the following resolution:

Whereas at the general election on November 4th, 1930, Section 5, of Article III of the Constitution of Texas was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided however, either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, under said amendment it is specifically provided that either House may determine its order of business by an affirmative vote of four-fifths of its membership.

Therefore Be It Resolved, by the Senate by an affirmative vote of four-fifths of its membership, that the order of business is hereby de-

termined to be governed by the General rules of the respective houses, except insofar as they do not conflict with the following special rules, which are hereby adopted.

Rule I.

It shall be in order to introduce bills or resolutions during the first sixty days of the Session and have the same referred to a proper committee.

Rule II.

After the first sixty days of the Regular Session, no bills shall be introduced in either House unless first filed with the Chief Clerk of the House or with the Secretary of the Senate, whose duty it will be to refer them to the Committee on introduction of bills. Those committees shall be composed of:

(a) On the part of the Senate: Of the chairman of the following standing committees: Finance, Civil Jurisprudence, Criminal Jurisprudence, State Affairs, Educational Affairs, Constitutional Amendments, Rules, Insurance and Highways and Motor Traffic.

(b) On the part of the House: Appropriation, Judiciary, Revenue and Taxation, State Affairs, Criminal Jurisprudence, Highway and Motor Traffic, Constitutional Amendments, Education, Rules, Insurance, Banks and Banking, Municipal and Private Corporations and Penitentiary.

The chairman of each of these two committees shall be designated respectively by the Lieutenant Governor and the Speaker of the House. It shall be the duty of the respective committees herein above constituted to consider such bills so referred to them and if, after consideration thereof, a majority report the bill with the recommendation that it be introduced, then said bill shall be, by the President of the Senate, and, or, the Speaker of the House, respectively, referred to some standing committee.

In the event that the Committee on Introduction of Bills should make an unfavorable report on a bill, the author or sponsor, may make a motion in the House or Senate, as the case may be, to introduce such bill. The mover may speak for five minutes, a member

of the committee on introduction of bills may reply for a period of five minutes and the mover shall have three minutes for a rejoinder. A vote shall then be taken upon the proposition of whether the House or the Senate shall receive the bill, and if the motion is adopted by a four-fifths vote of the members present and voting, the bill shall immediately be referred by the presiding officer to a standing committee. The foregoing rule shall not apply in reference to the introduction of local bills, emergency appropriations, acting upon appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature.

Rule III.

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the House in which said bill is pending in the due order of business as determined by the general rules of the House in which the bill is pending. A local bill is defined for the purpose of this rule as an act, the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operation of which is confined to a particular locality, district or section of the State.

Rule IV.

Local bills, emergency appropriations, acting upon the appointees of the Governor, (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by either House under the general rules and order of business.

Rule V.

During the first sixty days of the Regular Session, under the general rules of either House and in due order of business, either House may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV, by an affirmative vote of two-thirds of the membership present.

Rule VI.

It shall be in order for committees to consider bills at any time during the Session, their reports and the consideration by either House being governed, however, in accordance with the rules of the House in which said bill is pending.

When any bill shall have been finally acted upon by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be by the presiding officer thereof, referred to an appropriate committee and it shall not be necessary to be voted upon as a prerequisite to its consideration by the receiving branch.

Rule VII.

In reckoning the time within which a bill has been introduced, the date of its first introduction in either House shall govern.

WOODWARD.

Read and referred to Committee on Rules.

S. C. R. No. 2.

Senator Woodward sent up the following resolution:

Whereas at the general election on November 4th, 1930, Section 5, of Article III of the Constitution of Texas was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency

matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, under said amendment it is specifically provided that either House may determine its order of business by an affirmative vote of four-fifths of its membership.

Therefore Be It Resolved by the House of Representatives, by an affirmative vote of four-fifths of its membership, the Senate concurring by an affirmative vote of four fifths of its membership, that the order of business is hereby determined to be governed by the general rules of the respective houses, except in so far as they do not conflict with the following special rules, which are hereby adopted.

Rule I.

It shall be in order to introduce bills or resolutions during the first sixty days of the Session and have the same referred to a proper committee.

Rule II.

After the first sixty days of the Regular session, no bills shall be introduced in either House unless first filed with the chief Clerk of the House or with the Secretary of the Senate, whose duty it will be to refer them to the Committee on introduction of bills. These committees shall be composed of:

(a) On the part of the Senate: Of the Chairman of the following standing committees: Finance, Civil Jurisprudence, Criminal Jurisprudence, State Affairs, Educational Affairs, Constitutional Amendments, Rules, Insurance and Highways and Motor Traffic.

(b) On the part of the House: Appropriation, Judiciary, Revenue and Taxation, State Affairs, Criminal Jurisprudence, Highway and Motor Traffic, Constitutional Amendments, Education, Rules, Insurance, Banks and Banking, Municipal and Private Corporations and Penitentiary.

The Chairman of each of these two committees shall be designated respectively by the Lieutenant Governor and the Speaker of the House. It shall be the duty of the respective

committees hereinabove constituted to consider such bills so referred to them and if, after consideration thereof, a majority report the bill with the recommendation that it be introduced, then said bill shall be, by the President of the Senate, and, or, the Speaker of the House, respectively, referred to some standing committee.

In the event that the Committee on Introduction of Bills should make an unfavorable report on a bill, the author or sponsor, may make a motion in the House or Senate, as the case may be, to introduce such bill. The mover may speak for five minutes, a member of the committee on introduction of bills may reply for a period of five minutes and the mover shall have three minutes for rejoinder. A vote shall then be taken upon the proposition of whether the House or the Senate shall receive the bill, and if the motion is adopted by a four-fifths vote of the members present and voting, the bill shall immediately be referred by the presiding officer to a standing committee. The foregoing rule shall not apply in reference to the introduction of local bills, emergency appropriations, acting upon appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature.

Rule III.

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the House in which said bill is pending in the due order of business as determined by the general rules of the House in which the bill is pending. A local bill is defined by the purpose of this rule as an act, the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operation of which is confined to a particular locality, district or section of the State.

Rule IV.

Local bills, emergency appropriations, acting upon the appointees of

the Governor, (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by either House under the general rules and order of business.

Rule V.

During the first sixty days of the Regular Session, under the general rules of either House and in the due order of business, either House may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV. by an affirmative vote of two-thirds of the membership present.

Rule VI.

It shall be in order for committees to consider bills at any time during the Session, their reports and the consideration by either House being governed, however, in accordance with the rules of the House in which said bill is pending.

When any bill shall have been finally acted upon by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be by the presiding officer thereof, referred to an appropriate committee and it shall not be necessary to be voted upon as a prerequisite to its consideration by the receiving branch.

Rule VII.

In reckoning the time within which a bill has been introduced, the date of its first introduction in either House shall govern.

WOODWARD.

The resolution was read and referred to the Committee on Rules.

. Appointments Announced

The Chair announced the following appointments:

The Chair makes the following appointments:

Jack Lynch, Private Secretary to Lieutenant Governor. Hazel Avery, Assistant Secretary to Lieutenant Governor. Millard Willis, Messenger to Lieutenant Governor.

Special Messengers.

Brown Boothe, Messenger to Finance Committee. Robert Ledbetter,

For Sergeant-at-Arms. Maurice Morgan, for Senate Secretaries. Erwin Eilers, For Mailing Room. Claude F. Claflin, For Engrossing Room, Cecil Tom Lebinsky, For Telephone operators. James Hays Kemp, Jr., Elevator Operator. Mrs. Mobley, Matron.

General Pages.

The Chair announces the following appointments:

Bradley Crane, R. A. Stuart, Jr., Jack Cowley, Dale Alderdice, Elwood Brown, Chas. N. Zivley, William Alfred Malone, Guion Clayton, G. S. McCasland, Jr., Douglas H. Arnold.

Porters.

The Chair makes the following announcement of Porters:

Jim Jackson, Head-Porter, Tom Burton, Mail Porter, Buck Green, Lyman Edwards, Willis Gordon, Bozia Harris, Sam Trigg, Sam Grant, Sam Crawford.

Notification Committees

On motion of Senator Woodward, the following committees were appointed to notify the Governor and the House that the Senate had completed its organization and was ready for business:

To notify the Governor: Senators Woodward, Williamson, and Small.

To notify the House: Senators Loy, Woodruff, and Hopkins.

S. C. R. No. 3.

Senator Woodul sent up the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring: That the President of the Senate appoint five Senators and the Speaker of the House of Representatives appoint five members of the House of Representatives, to count the votes in the recent election for Governor and Lieutenant Governor, and to make all necessary arrangements for their inauguration.

POLLARD.
WOODUL,

Read and adopted.

The Chair announced the appointment of the following committee:

Senators Woodul, Poage, Holbrook, Purl, and Hopkins.

Simple Resolution No. 4.

Senator Pollard sent up the following resolution:

Be It Resolved by the Senate, That a new standing committee be created and the members appointed by the Lieutenant Governor, known as the "Committee on Oil, Gas and Other Minerals," to which committee shall be referred all bills and resolutions affecting oil, gas and minerals.

POLLARD.

Read and referred to Committee on Rules.

Recess.

On motion of Senator DeBerry, the Senate, at 1:37 o'clock p. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

S. J. R. No. 1.

Senator Hornsby sent up the following resolution:

S. J. R. No. 1, A joint resolution to provide for a Convention to frame a new Constitution for the State of Texas.

Read first time and referred to Committee on Constitutional Amendments.

Bills and Resolutions.

By Senator Rawlings:

S. B. No. 1, A bill to be entitled "An Act to repeal Chapter 81 of the General and Special Laws of the State of Texas, enacted in 1929, and declaring an emergency."

Read and referred to Committee of State Affairs.

By Senator Hornsby:

S. B. No. 2, A bill to be entitled "An Act amending Article 7336 of the Revised Civil Statutes of Texas for 1925, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hornsby:

B. S. B. No. 3, A bill to be entitled "An Act to provide for the acquisition of land for and the construction of a State Office Building, creating

a Board, making an appropriation therefor, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 4, A bill to be entitled "An Act providing for the repairing and renovation of the State Capitol, creating a Board for such purpose, making an appropriation therefor, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 5, A bill to be entitled "An Act to amend Chapter 8, being Senate Bill No. 57, General Laws, Fourth Called Session, Forty-first Legislature, and Chapter Ten of Title 122 of the Revised Civil Statutes of Texas of 1925 by adding thereto another article to be known as Article 7335-A, limiting the power of Commissioners Courts in making contracts in connection with the collection of delinquent taxes; limiting the compensation that can be paid under such contracts; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Hornsby:

S. B. No. 6, A bill to be entitled "An Act fixing the compensation of District Attorneys in each Judicial District in this State composed of only one county in which county there are two or more District Courts with Concurrent Criminal Jurisdiction, and which District Courts have exclusive jurisdiction of all prosecutions for failing or refusing to pay over money belonging to the State under Chapter two, of Title four, of the Penal Code of 1925, and which District Court further have Concurrent Jurisdiction with all District Courts in Texas in prosecutions involving the forging and uttering, using or passing of forged instruments in writing which concern or affect the title to land in this State, under Chapter two of Title Four of Code of Criminal Procedure of 1925; providing how said compensation shall be paid; providing for an assistant district attorney, a special investigator, and a stenographer in each such district; etc., and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 7, A bill to be entitled "An Act to adopt a general arbitration statute and making valid and enforceable written agreements and provisions in contracts for the arbitration of disputes; providing for a stay of proceedings brought in violation of arbitration agreements and providing a remedy in case of the failure, neglect or refusal of a party to perform under an agreement for arbitration by filing a motion in court with notice, hearing and order on such hearing; declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Oneal:

S. B. No. 8, A bill to be entitled "An Act amending Article 7336 of the Civil Statutes of Texas (Revision of 1925,) providing a penalty on State and County taxes if not paid by the 31st day of January next succeeding the return of the assessment rolls of the county to the Comptroller; and providing for the Collector of Taxes to seize and levy upon and sell so much of the personal property belonging to the person whose taxes are delinquent as may be sufficient to pay his taxes together with the ten per cent penalty, interests and all costs accruing thereon; and providing for the collector of taxes to make up triplicate lists of lands and lots on which the taxes for such preceding years are delinquent; and for his presenting said lists to the commissioners court for examination and correction of any correction of any errors that may appear; etc., and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Oneal:

S. B. No. 9, A bill to be entitled "An Act validating all proceedings heretofore had and taken to organize create or establish any and all drainage districts within this state under the provisions of Title 128, Chapters 7 and 8 of the Revised Civil Statutes, 1925, to-wit, Article 8097 to 8197, both inclusive, of such Revised Civil Statutes, 1925, and validating and approving all orders

heretofore made, and proceedings had by or before the Commissioner's Courts of this State to so organize, create or establish any and all such drainage districts aforesaid, and validating all such drainage districts heretofore created under the above statutes, and validating all proceedings had and taken or orders made by or before any such Commissioner's Courts to authorize or authorizing the issuance of any and all bonds of such drainage districts, and validating all such bonds heretofore issued, voted or authorized to be issued by all such districts, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Oneal:

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 36 of the Local and Special Laws of the Regular Session of the 31st Legislature of the State of Texas, entitled: 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the Wichita Falls Independent School District as herein defined, a body corporate, to provide for the election of trustees of said district and define their powers and duties and to authorize them to appoint other officers for said district and define their duties and to provide for the levy and collection of taxes in said district for the support of the public free schools therein and for the issuance of bonds for the erection and equipment of school buildings therein and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools and for the collection of all unpaid school taxes on property in said district and for the payment by the said district of all outstanding debts and obligations chargeable against it, and to authorize the sale of school property unsuitable for school purposes and reinvestment of the proceeds and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency,' which has been hereto-

fore amended, and as heretofore amended so as to add thereto Section 21-a providing that the trustees shall, upon a petition or may without such petition, order an election and submit to the qualified voters of said district the question of whether or not an additional tax of 20 cents on the \$100, or any less tax of the taxable property within said district shall be levied and collected annually for the maintenance of a junior college in said district and the erection and equipment of a junior college building or buildings therein, etc., and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Beck:

S. B. No. 11, A bill to be entitled "An Act fixing the per diem and mileage of members of the Legislature and making an appropriation of the sum of Two Hundred Thousand Dollars (\$200,000.00), or so much thereof as may be necessary, payable out of the general revenue, and not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Forty-second Legislature of the State of Texas, providing for the approval of accounts and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Beck:

S. B. No. 12, A Bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand Dollars (\$50,000.00), or so much thereof as may be necessary, out of the general Revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-second Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Purl:

S. B. No. 13, A Bill to be entitled "An Act amending Article 3891, Revised Civil Statutes of Texas of 1925 as amended by Chapter 20 of the Acts of the Fourth Called Session of the 41st Legislature so as to provide that in all counties having a population of 325,000, accord-

ing to the Federal census of 1930, all county officers and justices of the peace can retain all excess fees until the same, together with the maximum fees allowed by Articles 3883, 3883-a, 3886 shall amount to the sum of \$10,000.00 per annum, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Standing Committees Appointed

The Chair announced the appointment of the following standing committees:

Agricultural Affairs: Cunningham, Chairman; Gainer, Vice-Chairman; DeBerry, Thomason, Patton, Loy, Neal, Cousins, Small.

Banks and Banking: Russek, Chairman; Berkeley, Vice-Chairman; Cousins, Hornsby, Parrish, Holbrook, Purl, Hopkins, Woodruff.

Civil Jurisprudence: Woodward, Chairman; Woodul, Vice-Chairman; Small, Cunningham, Hopkins, Martin, Oneal, Rawlings, Woodruff, Cousins, Pollard, Poage.

Counties and County Boundaries: Poage, Chairman; Parr, Vice-Chairman; Berkeley, Hardin, Parrish, Greer, Martin, Woodul, Woodruff.

Constitutional Amendments: Holbrook, Chairman; Woodul, Vice-Chairman; DeBerry, Hopkins, Parr, Pollard, Woodward, Williamson, Hornsby, Moore, Stevenson, Greer.

Contingent Expense: Gainer, Chairman; Greer, Vice-Chairman; Hardin, Neal, Woodul, Williamson, Parr.

Criminal Jurisprudence: Small, Chairman; Woodruff, Vice-Chairman; Pollard, Purl, Moore, Cousins, Thomason, Gainer, Woodward, Hopkins, Martin, Parr, Oneal.

Educational Affairs: Neal, Chairman; Greer, Vice-Chairman; Thomason, Woodward, Parr, Russek, Hornsby, Parrish, Moore, Patton, Small, Hopkins, Purl.

Commerce and Manufacturing: Rawlings, Chairman; Purl, Vice-Chairman; Williamson, Poage, Hardin, Holbrook, Loy, Berkeley, Hornsby, Cousins, Neal.

Congressional Districts: Parrish, Chairman; Pollard, Vice-Chairman; Gainer, Parrish, Woodward, Russek, Berkeley, Holbrook, Hornsby, Greer, Small, DeBerry, Martin.

Engrossed Bills: Hardin, Chair-

man; Gainer, Vice-Chairman; Patton.

Enrolled Bills: Greer, Chairman; Hopkins, Vice-Chairman; Moore.

Federal Relations: Greer, Chairman; Neal, Vice-Chairman; Parrish, Berkeley, Beck, Purl.

Finance: Beck, Chairman; Hardin, Vice-Chairman; Pollard, Hornsby, Gainer, Parrish, Parr, Woodward, Thomason, DeBerry, Woodul, Hopkins, Woodruff, Greer, Williamson, Small, Purl, Patton, Cousins, Moore, Berkeley.

Insurance: Stevenson, Chairman; Purl, Vice-Chairman; Woodward, Holbrook, Russek, DeBerry, Loy, Rawlings, Poage, Moore, Pollard, Cousins.

Internal Improvements: Purl, Chairman; Parr, Vice-Chairman; Cunningham, Berkeley, Rawlings, Greer, Martin, Stevenson, Woodul.

Judicial Districts: Patton, Chairman; Martin, Vice-Chairman, Cunningham, Berkeley, Hardin, Neal, Small, Woodul.

Labor: Loy, Chairman; Pollard, Vice-Chairman; Hardin, Rawlings, Woodruff, Stevenson, Thomason, Cousins.

Mining, Irrigation, and Drainage: Hornsby, Chairman; Pollard, Vice-Chairman; Stevenson, Woodward, Parr, Holbrook, Williamson, Gainer, Small, DeBerry, Hopkins, Berkeley, Woodul.

Military Affairs: Woodul, Chairman; Poage, Vice-Chairman; Beck, Cunningham, Thomason, Russek, Woodruff.

Nominations By Governor: Pollard, Chairman; Woodul, Vice-Chairman; DeBerry, Beck, Gainer, Woodward, Parrish, Moore, Williamson.

Privileges and Elections: Hopkins, Chairman; Martin, Vice-Chairman; Greer, Holbrook, Patton, Pollard, Rawlings, Cunningham, Cousins, DeBerry.

Public Building and Grounds: Thomason, Chairman; Greer, Vice-Chairman; Hardin, Purl, Woodruff, Neal, Patton.

Public Printing: Woodruff, Chairman; Cunningham, Vice-Chairman; Parrish, Thomason, Greer, Hardin, Rawlings, Holbrook, Russek, Small.

Public Lands and Land Office: Parrish, Chairman; Berkeley, Vice-Chairman; Small, Cunningham, Gainer, Holbrook, Oneal, Moore, Woodward.

Public Health: Berkeley, Chairman; Beck, Vice-Chairman; Rawlings, Parrish, Hardin, Holbrook, Hornsby, Woodruff, Moore, Small, Hopkins, Neal.

Public Debt: Cousins, Chairman; Neal, Vice-Chairman; Gainer, Greer, Moore, Pollard, Small, Stevenson, Poage.

Representative Districts: Purl, Chairman; DeBerry, Vice-Chairman; Gainer, Parrish, Russek, Berkeley, Loy, Poage, Williamson, Patton.

State Highways and Motor Traffic: Williamson, Chairman; Rawlings, Vice-Chairman; Woodul, DeBerry, Stevenson, Gainer, Woodward, Parr, Holbrook, Russek, Oneal, Loy, Small.

Rules: Hardin, Chairman; Woodward, Vice-Chairman; Small, Hopkins, Oneal.

Senatorial Districts: Martin, Chairman; Berkeley, Vice-Chairman; Oneal, Gainer, Cunningham, Woodward, DeBerry, Russek.

State Affairs: Moore, Chairman; Woodul, Vice-Chairman; Hopkins, Williamson, Woodward, Small, Holbrook, Hardin, Cousins, Parr, Russek, Stevenson, Martin, Gainer, DeBerry, Thomason, Oneal.

State Institutions and Departments: Pollard, Chairman; Parrish, Vice-Chairman; Patton, Hornsby, Purl, Martin, Neal, Cousins, Gainer, Thomason.

State Penitentiaries: DeBerry, Chairman; Patton, Vice-Chairman; Parrish, Gainer, Beck, Rawlings, Hopkins, Stevenson, Williamson, Holbrook, Russek, Loy, Woodul.

Stock and Stock Raising: Parr, Chairman; Gainer, Vice-Chairman; Stevenson, Oneal, Rawlings, Loy, Poage, Woodruff, Thomason, Cunningham, Martin.

Town and City Corporations: Oneal, Chairman; Thomason, Vice-Chairman; Berkeley, Loy, Pollard, Martin, Woodruff, Purl, Poage.

S. B. No. 11.

Senator Beck received unanimous consent to take up the following bill:

By Senator Beck:

S. B. No. 11, A Bill to be entitled "An Act fixing the per diem and mileage of members of the Legislature and making an appropriation of the sum of two hundred thousand dollars (\$200,000.00), or so much thereof as may be necessary, payable

out of the general revenue, and not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Forty-second Legislature of the State of Texas, providing for the approval of accounts and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by a two-thirds vote.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 was put on its second reading by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard..
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

S. B. No. 12.

Senator Beck received unanimous consent to take up the following bill:

By Senator Beck:

S. B. No. 12, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-second Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 12 was put on its second reading by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

The committee report was adopted.
The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 12 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Notification Committee Reports.

The Committee appointed to notify the House that the Senate had completed organization appeared at the bar of the Senate and Senator Woodruff reported that the Committee had performed its duty.

Adjournment.

On motion of Senator Small, the Senate, at 3:20 o'clock p. m., ad-

journed until 10 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room.

Austin, Texas, Jan. 13, 1931.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on Finance to whom was referred

S. B. No. 11, A bill to be entitled "An Act fixing the per diem and mileage of members of the Legislature and making an appropriation of the sum of two hundred thousand dollars (\$200,000.00), or so much thereof as may be necessary, payable out of the general revenue and not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Forty-second Legislature of the State of Texas, providing for the approval of accounts and declaring an emergency."

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,

Austin, Texas, Jan. 13, 1931.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 12, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-second Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency."

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.